

ORDER NO. 2703

UNITED STATES OF AMERICA  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Acting Chairman;  
Tony Hammond, Vice Chairman;  
Mark Acton;  
Ruth Y. Goldway; and  
Nanci E. Langley

Petition for Rulemaking

Docket No. RM2015-20

ORDER HOLDING PETITION FOR RULEMAKING IN ABEYANCE

(Issued September 10, 2015)

On August 17, 2015, the Association for Postal Commerce (PostCom) and the Alliance of Nonprofit Mailers (ANM) filed a petition to initiate a rulemaking proceeding concerning the changes required to implement PostCom and ANM's proposed standard set forth in Docket No. R2013-10R.<sup>1</sup> On that same day, PostCom and ANM, in a joint submission with other interested parties, filed initial comments in Docket No. R2013-10R, which proposed a standard for determining "whether a change in mail preparation requirements has rate effects with price cap implications."<sup>2</sup> This standard

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<sup>1</sup> Petition of the Association for Postal Commerce and Alliance of Nonprofit Mailers to Initiate Rulemaking Proceeding, August 17, 2015 (Petition).

<sup>2</sup> *Id.* at 1; see Docket No. R2013-10R, Initial Comments of the Association for Postal Commerce, Alliance of Nonprofit Mailers, Major Mailers Association, MPA—The Association of Magazine Media, and National Postal Policy Council in Response to Order No. 2586, August 17, 2015.

would require modification of the Commission's rules set forth in 39 C.F.R. § 3010.30 governing *de minimis* rate changes. Petition at 1. PostCom and ANM describe the changes they believe should be implemented and ask the Commission to "institute a rulemaking proceeding to develop rules in line with this proposal." *Id.*

The proceedings in R2013-10R were initiated on July 15, 2015, when the Commission issued an Order establishing procedures on remand and requesting comment from interested parties on the standard to be applied when considering whether mail preparation changes are changes in rates with respect to 39 U.S.C. § 3622(d).<sup>3</sup> Initial comments were filed by interested parties, including PostCom and ANM, on August 17, 2015. Reply comments were filed on August 31, 2015.

The Commission has yet to determine the standard to be applied in Docket No. R2013-10R to evaluate when mail preparation requirement changes have rate effects with price cap implications. Given the issues raised in the Petition are directly related to the issues pending before the Commission in Docket No. R2013-10R, the Petition is not yet ripe for consideration. Therefore, the Commission holds PostCom and ANM's Petition in abeyance pending the decision rendered in Docket No. R2013-10R.

*It is ordered:*

Pending the final decision implementing a standard for determining when mail preparation requirement changes will have rate effects with price cap implications in Docket No. R2013-10R, Docket No. RM2015-20 will be held in abeyance.

By the Commission.

Shoshana M. Grove  
Secretary

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<sup>3</sup> Docket No. R2013-10R, Order No. 2586, Order Establishing Procedures on Remand and Requesting Public Comment, July 15, 2015.